IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 2 0 2004

IN RE APPLICATION OF: Mark Edward KANE, et.

DOCKET NO. 3805-023-27 CONT

SERIAL NO: 10/619,425

· FILED:

July 16, 2003

FOR:

METHOD AND SYSTEM FOR AUTOMATICALLY ACTIVATING A WARNING DEVICE ON A TRAIN

EXAMINER:

GROUP ART UNIT: 3617

Frantz F. Jules

TERMINAL DISCLAIMER

ASSISTANT COMMISSIONER FOR PATENTS PO BOX 1450 **ALEXANDRIA, VA 22313-1450**

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Quantum Engineering, Inc. is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment.

Quantum Engineering, Inc. hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 6,609,049, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,609,049, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Quantum Engineering, Inc. does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of Patent No. 6,609,049 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

PIPER RUDNICK LLP

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FEE TRANSMITTAL

 Docket No.
 3805-023-27 CONT

 Serial No.
 10/619,425

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 Inventor(s)
 Mark Edward KANE, et al.

 Group Art Unit
 3617

TOTAL AMOUNT OF PAYMENT \$0.00									Examiner Frantz F. Jules							
Applicant claims small entity status.										FEE CALCULATION (continued)						
Charge any <u>UNDERPAYMENT</u> or credit any <u>OVERPAYMENT</u> in the indicated fees to Deposit Account No. 50-1442.										3. ADDITIONAL FEES						
0	·											Large Entity		Entity	Fee Description	
2. ■ Check enclosed.										Fee Code	Fee (\$)	Fee Code	Fee (\$)		Fee Paid	
FEE CALCULATION											1051	130	2051	65	Surcharge-late filing fee or oath	
1. BASIC FILING FEE										1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet		
Large Entity Small Entity				ty	Fee Description						1053	130	1053	130	Non-English Specification	
Fee Code	Fee (\$)	Fee Code		Fee (\$)					Fee Paid	1251	110	2251	55	1-mo. ext. of time		
1001	770	2001		385	Uti	Utility filing fee					1252	420	2252	210	2-mo. ext. of time	
1002	340	2002		170	Design filing fee						1253	950	2253	475	3-mo. ext. of time	
1003	520	2003	260		Plant filing fee						1254	1480	2254	740	4-mo. ext. of time	
1004	770	2004	<u> </u>	385	Reissue filing fee						1255	2010	2255	1005	5-mo. ext. of time	
1005	005 160 2005		80		Provisional filing fee						1401	330	2401	165	Notice of Appeal	
SUBTOTAL (1) \$0.00											1402	330	2402	165	Appeal Brief	
2. EXTRA CLAIM FEES									1403	290	2403	145	Request for Oral Hearing			
tot. cla	tot. claims		-	20*	11	0	x	\$9	ı	0	1501	1330	2501	665	Utility/Reissue Issue Fee	
ind. cl	aims	2	-	3*	=	0	х	\$43	=	0	1502	480	2502	240	Design Issue Fee	
	Multip	ole Deper	nden	t Claim	ıs			\$145	=		1504	300	1504	300	Publication Fee	
Large Entity Small Entity Fee De				Descript	ion				8001	3	8001	3	Advance Copy of Patent			
Fee Code	Fee (\$)	Fee Code	Fee (\$)								1460	130	1460	130	Petitions to the Commissioner	
1202	18	2202		9	Claims in excess of 20					1806	180	1806	180	IDS Submission		
1201	86	2201		43	Independent claims in excess of 3						8021	40	8021	40	Assignment recordation	
1203	290	2203		145	Multiple dependent claim, if not paid				1801	770	2801	385	For Filing RCE			
1204	4 84 2204 43 *Reissue independent claims over original patent						1814	110	2814	55	Terminal Disclaimer	55.00				
1205	18	18 2205 9 *Reissue claims in excess of 20 and over original patent							d over original	OTHER (indicate below):						
						SUI	вто	TAL (2)		\$0.00						
* or nun	or number previously paid, if greater; For Reissues, see above						SUBTOTAL (3)				\$0.00					

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